

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

GRACE M. DERR and SHELBY A.
DERR on their own behalf and on
behalf of minors J.M.H., JR. and
G.M.H.,

Plaintiffs,

v.

JOSEPH HOUSER, SR.; JEN
WILKINS, in both her individual and
official capacities; AMANDA KURTZ,
in both her individual and official
capacities; and KIERA RUIZ-RUIZ, in
both her individual and official
capacities,

Defendants.

No. 4:22-CV-01917

(Chief Judge Brann)

ORDER

MAY 11, 2023

In accordance with the accompanying Memorandum Opinion, **IT IS
HEREBY ORDERED** that:

1. Defendant Wilson and Ruiz-Ruiz's objection to Magistrate Judge William I. Arbuckle's Report and Recommendation (Doc. 16) is
SUSTAINED.

2. The Court accordingly **REJECTS** Magistrate Judge Arbuckle's Report and Recommendation as to Plaintiffs' Fourth Amendment Claim and **ADOPTS** the remainder of his Report and Recommendation.
3. Plaintiffs' First Amended Complaint is **DISMISSED WITHOUT PREJUDICE**.
4. Plaintiffs' motions for a temporary restraining order and for a preliminary injunction (Docs. 4, 10) are **DENIED**.
5. If Plaintiffs wish to plead over on any of their claims, they must file an amended pleading on or before May 25, 2023.
6. This matter is remanded to Magistrate Judge Arbuckle for further proceedings.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge